

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

FLORENCE T. NAKAKUNI #2286
Chief, Narcotics Section

CHRIS A. THOMAS #3514
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
E-mail: Chris.Thomas@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00367 DAE
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING TRIAL AND TO
vs.)	EXCLUDE TIME
)	
)	
RANDALL SPEAR, (02))	OLD TRIAL DATE: 5/16/06
aka "Randall Foster",)	NEW TRIAL DATE: 6/6/06
and PAUL SULLIVAN, (05))	
)	
Defendants.)	
_____)	

STIPULATION AND ORDER
CONTINUING TRIAL AND TO EXCLUDE TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that the jury trial that was scheduled for May 16, 2006, be continued to June 6, 2006 at 9:00 a.m. before the Honorable David Alan Ezra. The continuance is agreed to by the

Defendants based on the availability of the Defendants' attorneys.

IT IS FURTHER STIPULATED AND AGREED by and between the parties that the period beginning May 16, 2006, to and including June 6, 2006, be excluded from the computations required by the Speedy Trial Act, Title 18, United States Code, Section 3161. The Court finds that the ends of justice outweigh the best interest of the public and the Defendants in a speedy trial because the continuance allows counsels for Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence in accordance with 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS SO STIPULATED.

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DATED: Honolulu, Hawaii, April 28, 2006.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Chris A. Thomas
CHRIS A. THOMAS
Assistant U.S. Attorney

/s/ Michael Green
MICHAEL GREEN, ESQ.
Attorney for Defendant (02)
RANDALL SPEAR

/s/ Paul Cunney
PAUL CUNNEY, ESQ.
Attorney for Defendant (05)
PAUL SULLIVAN

IT IS SO APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, May 8, 2006.





David Alan Ezra
United States District Judge

United States v. Randall Spear, et al.
Cr. No. 03-00367 DAE
"Stipulation and Order Continuing Trial and
to Exclude Time"